

STEVE W. BERMAN, WSBA No. 12536
ERIN K. FLORY, WSBA No. 16631
HAGENS BERMAN SOBOL SHAPIRO LLP
1918 8th Avenue, Suite 3300
Seattle, WA 98101
(206) 623-7292

The Honorable Fred Van Sickle

BRADLEY B. JONES, WSBA No. 17197
KENNETH G. KIEFFER, WSBA No. 10850
F. MIKE SHAFFER, WSBA No. 18669
GORDON THOMAS HONEYWELL
MALANCA PETERSON & DAHEIM LLP
1201 Pacific Avenue, Suite 2100
Tacoma, WA 98402
(253) 620-6500

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

In re METROPOLITAN SECURITIES
LITIGATION

No. CV-04-0025-FVS

THIS DOCUMENT RELATES TO:
ALL ACTIONS

PLAINTIFFS' MOTION *IN LIMINE* TO EXCLUDE
EVIDENCE RELATED TO TOM
TURNER'S CRIMINAL
CONVICTION AND DETIALS OF
THE TRILLIUM TRANSACTION

[Clerk's Action Required]

**[ORAL ARGUMENT
REQUESTED]**

Hearing Date: March 3, 2010
Time: 9:00 a.m.

PLTFS' MTN *IN LIMINE* TO EXCLUDE
EVIDENCE RELATED TO TURNER'S
CRIMINAL CONVICTION - 1
(No. CV-04-0025-FVS)

001758-11 353094 V1

1 Plaintiffs, by their undersigned counsel, move the Court for an Order
2 granting Plaintiffs' Motion *In Limine* to Exclude Evidence Related to Tom
3 Turner's Criminal Conviction and Details of the Trillium Transaction. This
4 motion is supported by the accompanying memorandum of law.
5

6 Dated this 16th day of February, 2010.

7
8 HAGENS BERMAN SOBOL SHAPIRO LLP

9
10 By /s/ Tyler S. Weaver

11 Steve W. Berman, WSBA No. 12536

12 Erin K. Flory, WSBA No. 16631

13 Jeniphr Breckenridge, WSBA No. 21410

14 Tyler S. Weaver, WSBA No. 29413

15 1918 8th Avenue, Suite 3300

16 Seattle, WA 98101

17 Telephone: (206) 623-7292

18 Facsimile: (206) 623-0594

19 F. Mike Shaffer, WSBA No. 18669

20 Bradley B. Jones, WSBA No. 17197

21 Kenneth G. Kieffer, WSBA No. 10850

22 GORDON, THOMAS HONEYWELL,

23 MALANCA, PETERSON & DAHEIM LLP

24 1201 Pacific Avenue, Suite 2100

25 Tacoma, WA 98402

26 Telephone: (253) 620-6500

Facsimile: (253) 620-6565

Co-Lead Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each other party via email on February 16, 2010, to the following:

George S. Azadian Azadian@strook.com

James K Barbee at jim@golbeckroth.com

Philip S Beck at anne.doyle@bartlit-beck.com; susan.dandrea@bartlit-beck.com

Ronald L Berenstein at rberenstein@perkinscoie.com; jstarr@perkinscoie.com

Steve W Berman at steve@hbsslaw.com; heatherw@hbsslaw.com

Brian D Buckley at bbuckley@fenwick.com

Elizabeth J Cabraser at ecabraser@lchb.com; ewalser@lchb.com

Kelly P Corr at kcorr@correronin.com; dpatterson@correronin.com; reception@correronin.com

Pearl Del Rosario at pdelrosario@orrick.com; valdeman@orrick.com

Christopher G Emch at emchc@foster.com; pateb@foster.com

Timothy L Filer at filet@foster.com; howej@foster.com

Steven Fogg at sfogg@correronin.com; ivandiver@correronin.com

E Joseph Giometti at jgiometti@orrick.com; gjohnson@orrick.com

Peter Jennings Grabicki at pjg@randanco.com; scc@randanco.com; nlg@randanco.com

Gary I Grenley at ggrenley@grebb.com

Richard M Heimann at rheimann@lchb.com; lsimms@lchb.com

Kenneth P Herzinger at kherzinger@orrick.com

PLTFS' MTN *IN LIMINE* TO EXCLUDE
EVIDENCE RELATED TO TURNER'S
CRIMINAL CONVICTION - 3
(No. CV-04-0025-FVS)

001758-11 353094 V1

1 David D Hoff at dhoff@tousley.com; btaylor@tousley.com
2 Tarek Ismail at tarek.ismail@bartlit-beck.com; anne.doyle@bartlit-beck.com
3 Stephen M Knaster at sknaster@orrick.com; vadelman@orrick.com
4 James B. King at jking@ecl-law.com
5 Christopher D Landgraff at chris.landgraff@barlit-beck.com
6 Mary D Manesis at mmanesis@stroock.com; cdusi@stroock.com
7 J Scott McBride at scott.mcbride@barlit-beck.com
8 James P McNeill, III at mcnej@foster.com
9 Michael L Merriman at michael.merriman@barlit-beck.com
10 Jeffrey S Miller at milje@foster.com; kellie@foster.com; snydd@foster.com;
11 hickc@foster.com
12 John Degnan Munding at munding@crumb-munding.com; brittany@crumb-munding.com
13 Robert J Nelson at rnelson@lchb.com
14 Kevin Daniel O'Rourke at korourke@southwellorourke.com
15 Carl J Oreskovich at carl@ettermcmahon.com; roni@ettermcmahon.com
16 Erin K. Flory at erin@hbsslaw.com; carrie@hbsslaw.com
17 Andrew K Polovin at andrew.polovin@bartlit-beck.com;
18 anne.doyle@bartlit-beck.com
19 Terry J Price at tprice@rmalw.com
20 Mark Roth at mark@golbeckroth.com
21 Stephen M Rummage at steverummage@dwt.com; jeannecadley@dwt.com
22 Darrell W Scott at scottgroup@mac.com; ssimatos@mac.com
23
24
25
26

PLTFS' MTN *IN LIMINE* TO EXCLUDE
EVIDENCE RELATED TO TURNER'S
CRIMINAL CONVICTION - 4
(No. CV-04-0025-FVS)

001758-11 353094 V1

1 M Todd Scott at tscott@orrick.com; jwatts@orrick.com; tmanolova@orrick.com

2 James M Shaker at shaker@ryanlaw.com; callahan@ryanlaw.com

3 Daniel F Shea at dfshea@hhlaw.com;

4 Kim D Stephens at kstephens@tousley.com; efile@tousley.com;
5 jalbertson@tousley.com

6 Julia B Strickland at jstrickland@stroock.com; tmitchell@stroock.com;
7 lacalendar@stroock.com

8 Earl M Sutherland at esutherland@rmlaw.com; lfisher@rmlaw.com

9 Beth E Terrell at bterrell@tousley.com; bkinsey@tousley.com; efile@tousley.com

10 Paul H Trincherro at ptrincherro@grebb.com

11 Michael C Tu at mtu@orrick.com; sspencer@orrick.com

12 Robert P Varian at rvarian@orrick.com

13 Fabrice Vincent at fvincent@lchb.com; dclevenger@lchb.com

14 Joshua Watts at jwatts@orrick.com; gjohnson@orrick.com

15 Christine Marie Weaver at cw@cweaverlaw.com

16 Leslie Richard Weatherhead at lwlibertas@aol.com

17 Charles S Wright at charleswright@dwt.com; terriray@dwt.com

18
19
20 HAGENS BERMAN SOBOL SHAPIRO LLP

21 By /s/ Tyler S. Weaver

22 Tyler S. Weaver, WSBA No. 29413
23 1918 8th Avenue, Suite 3300
24 Seattle, WA 98101
25 Telephone: (206) 623-7292
26 Facsimile: (206) 623-0594

Co-Lead Counsel for Plaintiffs

PLTFS' MTN *IN LIMINE* TO EXCLUDE
EVIDENCE RELATED TO TURNER'S
CRIMINAL CONVICTION - 5
(No. CV-04-0025-FVS)

001758-11 353094 V1

